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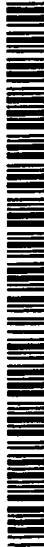
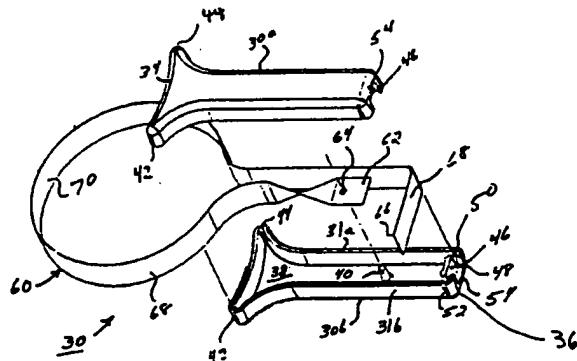
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(54) Title: DEVICE FOR HEART MEASUREMENT

**A1**

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(57) Abstract: A surgical tool for measuring a perimeter of a heart at a location spaced from an apex of the heart includes a handle (32) having a head (34) having first and second sides. The head (34) is adapted to be placed against the heart at the measurement location with the sides spaced apart along the perimeter. The head (34) has a first slot (42) formed in the first side communicating with an interior of the handle. The handle has a proximal end (36) opposite the head. A second slot (52) is formed in the proximal end communicating with the handle interior. The handle (32) has a visibly perceptible handle marking (54) adjacent the second slot (52). An elongate flexible member has a first end secured to the handle and extending from the second side of the head. The elongate flexible member (60) is passed through the first (42) and second (52) slots and terminates at a free end external of the handle (32). The elongate flexible member (60) has a plurality of tape markings disposed along a length of the elongate flexible member (60). The elongate flexible member (60) extends out of the second slot (52) at the handle marking (54) for the tape markings to be in alignment with the handle marking (54) as the flexible member (60) is pulled through said the slot (52).



*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

**DEVICE FOR HEART MEASUREMENT****I.****BACKGROUND OF THE INVENTION**

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**1. Field of the Invention**

The present invention pertains to a method and apparatus for treating congestive heart disease and related valvular dysfunction. More particularly, the present invention is directed to a measurement device for determining an appropriately sized cardiac constraint for particular heart geometry.

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**2. Description of the Prior Art**

Congestive heart disease is a progressive and debilitating illness. The disease is characterized by a progressive enlargement of the heart.

15 As the heart enlarges, the heart is performing an increasing amount of work in order to pump blood each heart beat. In time, the heart becomes so enlarged the heart cannot adequately supply blood. An afflicted patient is fatigued, unable to perform even simple exerting tasks and experiences pain and discomfort. Further, as the heart enlarges, the internal heart valves may not adequately close. This impairs 20 the function of the valves and further reduces the heart's ability to supply blood.

Causes of congestive heart disease are not fully known. In certain instances, congestive heart disease may result from viral infections. In such cases, the heart may enlarge to such an extent that the adverse consequences of heart enlargement continue after the viral infection has passed and the disease continues its 25 progressively debilitating course.

Patients suffering from congestive heart disease are commonly grouped into four classes (i.e., Classes I, II, III and IV). In the early stages (e.g., Classes I and II), drug therapy is the most commonly prescribed treatment. Drug therapy treats the symptoms of the disease and may slow the progression of the disease. Importantly, 30 there is no cure for congestive heart disease. Even with drug therapy, the disease will progress. Further, the drugs may have adverse side effects.

Presently, the only permanent treatment for congestive heart disease is heart transplant. To qualify, a patient must be in the later stage of the disease (e.g., Classes III and IV with Class IV patients given priority for transplant). Such patients are extremely sick individuals. Class III patients have marked physical activity limitations and Class IV patients are symptomatic even at rest.

5 Due to the absence of effective intermediate treatment between drug therapy and heart transplant, Class III and IV patients will have suffered terribly before qualifying for heart transplant. Further, after such suffering, the available treatment is unsatisfactory. Heart transplant procedures are very risky, extremely invasive and  
10 expensive and only shortly extend a patient's life. For example, prior to transplant, a Class IV patient may have a life expectancy of 6 months to one-year. Heart transplant may improve the expectancy to about five years.

Unfortunately, not enough hearts are available for transplant to meet the needs of congestive heart disease patients. In the United States, in excess of 35,000  
15 transplant candidates compete for only about 2,000 transplants per year. A transplant waiting list is about 8 - 12 months long on average and frequently a patient may have to wait about 1 - 2 years for a donor heart. While the availability of donor hearts has historically increased, the rate of increase is slowing dramatically. Even if the risks and expense of heart transplant could be tolerated,  
20 this treatment option is becoming increasingly unavailable. Further, many patients do not qualify for heart transplant due to failure to meet any one of a number of qualifying criteria.

Congestive heart failure has an enormous societal impact. In the United States alone, about five million people suffer from the disease (Classes I through IV  
25 combined). Alarmingly, congestive heart failure is one of the most rapidly accelerating diseases (about 400,000 new patients in the United States each year). Economic costs of the disease have been estimated at \$38 billion annually.

Not surprising, substantial effort has been made to find alternative treatments for congestive heart disease. Recently, a new surgical procedure has been  
30 developed. Referred to as the Batista procedure, the surgical technique includes dissecting and removing portions of the heart in order to reduce heart volume. This is a radical new and experimental procedure subject to substantial controversy.

Furthermore, the procedure is highly invasive, risky and expensive and commonly includes other expensive procedures (such as a concurrent heart valve replacement). Also, the treatment is limited to Class IV patients and, accordingly, provides no hope to patients facing ineffective drug treatment prior to Class IV. Finally, if the 5 procedure fails, emergency heart transplant is the only available option.

Clearly, there is a need for alternative treatments applicable to both early and later stages of the disease to either stop the progressive nature of the disease or more drastically slow the progressive nature of congestive heart disease. Unfortunately, currently developed options are experimental, costly and problematic.

10        Cardiomyoplasty is a recently developed treatment for earlier stage congestive heart disease (e.g., as early as Class III dilated cardiomyopathy). In this procedure, the latissimus dorsi muscle (taken from the patient's shoulder) is wrapped around the heart and chronically paced synchronously with ventricular systole. Pacing of the muscle results in muscle contraction to assist the contraction of the 15 heart during systole.

Even though cardiomyoplasty has demonstrated symptomatic improvement, studies suggest the procedure only minimally improves cardiac performance. The procedure is highly invasive requiring harvesting a patient's muscle and an open chest approach (i.e., sternotomy) to access the heart. Furthermore, the procedure is 20 expensive -- especially those using a paced muscle. Such procedures require costly pacemakers. The cardiomyoplasty procedure is complicated. For example, it is difficult to adequately wrap the muscle around the heart with a satisfactory fit. Also, if adequate blood flow is not maintained to the wrapped muscle, the muscle may necrose. The muscle may stretch after wrapping reducing its constraining benefits 25 and is generally not susceptible to post-operative adjustment. Finally, the muscle may fibrose and adhere to the heart causing undesirable constraint on the contraction of the heart during systole.

While cardiomyoplasty has resulted in symptomatic improvement, the nature of the improvement is not understood. For example, one study has suggested the 30 benefits of cardiomyoplasty are derived less from active systolic assist than from remodeling, perhaps because of an external elastic constraint. The study suggests an elastic constraint (i.e., a non-stimulated muscle wrap or an artificial elastic sock

placed around the heart) could provide similar benefits. Kass et al., *Reverse Remodeling From Cardiomyoplasty In Human Heart Failure: External Constraint Versus Active Assist*, 91 Circulation 2314 - 2318 (1995). Similarly, cardiac binding is described in Oh et al., *The Effects of Prosthetic Cardiac Binding and Adynamic*

- 5    *Cardiomyoplasty in a Model of Dilated Cardiomyopathy*, 116 J. Thorac. Cardiovasc. Surg. 148 - 153 (1998), Vaynblat et al., *Cardiac Binding in Experimental Heart Failure*, 64 Ann. Thorac. Surg. 81 - 85 (1997) and Capouya et al., *Girdling Effect of Nonstimulated Cardiomyoplasty on Left Ventricular Function*, 56 Ann. Thorac. Surg. 867 - 871 (1993).

10      In addition to cardiomyoplasty, mechanical assist devices have been developed as intermediate procedures for treating congestive heart disease. Such devices include left ventricular assist devices ("LVAD") and total artificial hearts ("TAH"). An LVAD includes a mechanical pump for urging blood flow from the left ventricle into the aorta. Such surgeries are expensive. The devices are at risk of 15 mechanical failure and frequently require external power supplies. TAH devices are used as temporary measures while a patient awaits a donor heart for transplant.

20      Commonly assigned U.S. Patent No. 5,702,343 to Alferness dated December 30, 1997 teaches a jacket to constrain cardiac expansion during diastole. Also, PCT International Publication No. WO 98/29401 published July 9, 1998 teaches a cardiac constraint in the form of surfaces on opposite sides of the heart with the surfaces joined together by a cable through the heart or by an external constraint. U.S. Pat. No. 5,800,528 dated September 1, 1998 teaches a passive girdle to surround a heart. German utility model DE 295 17 393 describes a non-expansile heart pouch. PCT International Publication No. WO 98/58598 published December 30, 1998 describes 25 a cardiac pouch with an elastic limit.

25      A cardiac constraint device can be placed on an enlarged heart and fitted snug during diastole. For example, a knit jacket device can be loosely slipped on the heart. After such placement, the material of the jacket can be gathered to adjust the device to a desired tension. The gathered material can be sutured or otherwise fixed 30 to maintain the tensioning. The heart may be pre-shrunk prior to placement of the device or the device may be fitted on the heart without pre-shrinking the heart. The device is adjusted to a snug fit on the heart during diastole.

Care is taken to avoid tightening the device too much such that cardiac function is impaired. During diastole, the left ventricle fills with blood. If the device is too tight, the left ventricle cannot adequately expand and left ventricular pressure will rise. During the fitting of the device, the surgeon can monitor left ventricular pressure. For example, a well-known technique for monitoring so-called pulmonary wedge pressure uses a catheter placed in the pulmonary artery. The wedge pressure provides an indication of filling pressure in the left atrium and left ventricle. While minor increases in pressure (e.g., 2 - 3 mm Hg) can be tolerated, the device is snugly fit on the heart but not so tight as to cause a significant increase in left ventricular pressure during diastole.

The present invention pertains to a device for measuring the heart for fitting with a cardiac constraint. Since heart size and shape varies from patient to patient, various sizes and shapes of such constraints will be needed to accommodate variations in patient anatomy. While heart shape and size can be measured and approximated non-invasively (e.g., through echo measurement), more accurate measurement is desired to avoid selecting too small of a constraint (which would unduly restrict the heart) or too large of a constraint which would require excessive material removal to achieve proper fit during surgery.

Such a measurement design would ideally be of simple construction and low cost manufacture to permit use of a single use device which can be disposed following surgery. This avoids the need to clean and sterilize a device for subsequent use. Preferably, such a device would be versatile to measure both circumference and length.

## II.

### 25 SUMMARY OF THE INVENTION

According to a preferred embodiment of the present invention, a surgical tool is disclosed for measuring a perimeter of a heart at a location spaced from an apex of the heart. The tool includes a handle having a head having first and second sides. The head is adapted to be placed against the heart at the measurement location with the sides spaced apart along the perimeter. The head has a first slot formed in the first side communicating with an interior of the handle. The handle has a proximal end opposite the head. A second slot is formed in the proximal end communicating

with the handle interior. The handle has a visibly perceptible handle marking adjacent the second slot. An elongate flexible member has a first end secured to the handle and extending from the second side of the head. The elongate flexible member is passed through the first and second slots and terminates at a free end 5 external of the handle. The elongate flexible member has a plurality of tape markings disposed along a length of the elongate flexible member. The elongate flexible member extends out of the second slot at the handle marking for the tape markings to be in alignment with the handle marking as the flexible member is pulled through the slot.

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### III.

#### BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a schematic cross-sectional view of a normal, healthy human heart shown during systole;

15 Fig. 1A is the view of Fig. 1 showing the heart during diastole;

Fig. 2 is a schematic cross-sectional view of a diseased human heart shown during systole;

Fig. 2A is the view of Fig. 2 showing the heart during diastole;

Fig. 3 is a perspective view of one embodiment of a cardiac constraint

20 device;

Fig. 3A is a side elevation view of a diseased heart in diastole with the device of Fig. 3 in place;

Fig. 4 is a perspective view of an alternative cardiac constraint device;

25 Fig. 4A is a side elevation view of a diseased heart in diastole with the device of Fig. 4 in place;

Fig. 5 is a cross-sectional view of the device of Fig. 3 overlying a myocardium and with the material of the device gathered for a snug fit;

Fig. 6 is a perspective view of a device for measuring a heart according to the present invention;

30 Fig. 7 is an exploded perspective view of the device of Fig. 6;

Fig. 8 is a top plan view of a tape used in the device of Fig. 6 having markings for use in linear measurement;

Fig. 9 is a bottom plan view of a tape used in the device of Fig. 6 having markings for use in circumferential measurement;

Fig. 10 is a view of the device of Fig. 6 in use for measuring a circumference of a heart; and

5 Fig. 11 is a view of the device of Fig. 6 in use for measuring a length of a heart.

#### IV.

#### DESCRIPTION OF THE PREFERRED EMBODIMENT

##### A. Congestive Heart Disease

10 To facilitate a better understanding of the present invention, description will first be made of a cardiac constraint device such as is more fully described in commonly assigned and copending U.S. patent application Ser. No. 09/114,757, filed July 13, 1998. In the drawings, similar elements are labeled similarly throughout.

15 With initial reference to Figs. 1 and 1A, a normal, healthy human heart H' is schematically shown in cross-section and will now be described in order to facilitate an understanding of the present invention. In Fig. 1, the heart H' is shown during systole (i.e., high left ventricular pressure). In Fig. 1A, the heart H' is shown during diastole (i.e., low left ventricular pressure).

20 The heart H' is a muscle having an outer wall or myocardium MYO' and an internal wall or septum S'. The myocardium MYO' and septum S' define four internal heart chambers including a right atrium RA', a left atrium LA', a right ventricle RV' and a left ventricle LV'. The heart H' has a length measured along a longitudinal axis BB'-AA' from an upper end or base B' to a lower end or apex A'.

25 The right and left atria RA', LA' reside in an upper portion UP' of the heart H' adjacent the base B'. The right and left ventricles RV', LV' reside in a lower portion LP' of the heart H' adjacent the apex A'. The ventricles RV', LV' terminate at ventricular lower extremities LE' adjacent the apex A' and spaced therefrom by the thickness of the myocardium MYO'.

30 Due to the compound curves of the upper and lower portions UP', LP', the upper and lower portions UP', LP' meet at a circumferential groove commonly referred to as the A-V (atrio-ventricular) groove AVG'. Extending away from the

upper portion UP' are a plurality of major blood vessels communicating with the chambers RA', RV', LA', LV'. For ease of illustration, only the superior vena cava SVC', inferior vena cava IVC' and a left pulmonary vein LPV' are shown as being representative.

- 5        The heart H' contains valves to regulate blood flow between the chambers RA', RV', LA', LV' and between the chambers and the major vessels (e.g., the superior vena cava SVC', inferior vena cava IVC' and a left pulmonary vein LPV'). For ease of illustration, not all of such valves are shown. Instead, only the tricuspid valve TV' between the right atrium RA' and right ventricle RV' and the mitral valve  
10      MV' between the left atrium LA' and left ventricle LV' are shown as being representative.

The valves are secured, in part, to the myocardium MYO' in a region of the lower portion LP' adjacent the A-V groove AVG' and referred to as the valvular annulus VA'. The valves TV' and MV' open and close through the beating cycle of  
15      the heart H.

Figs. 1 and 1A show a normal, healthy heart H' during systole and diastole, respectively. During systole (Fig. 1), the myocardium MYO' is contracting and the heart assumes a shape including a generally conical lower portion LP'. During diastole (Fig. 1A), the heart H' is expanding and the conical shape of the lower  
20      portion LP' bulges radially outwardly (relative to axis AA'-BB').

The motion of the heart H' and the variation in the shape of the heart H' during contraction and expansion is complex. The amount of motion varies considerably throughout the heart H'. The motion includes a component which is parallel to the axis AA'-BB' (conveniently referred to as longitudinal expansion or  
25      contraction). The motion also includes a component perpendicular to the axis AA'-BB' (conveniently referred to as circumferential expansion or contraction).

Having described a healthy heart H' during systole (Fig. 1) and diastole (Fig. 1A), comparison can now be made with a heart deformed by congestive heart disease. Such a heart H is shown in systole in Fig. 2 and in diastole in Fig. 2A. All  
30      elements of diseased heart H are labeled identically with similar elements of healthy heart H' except only for the omission of the apostrophe in order to distinguish diseased heart H from healthy heart H'.

present invention will be described with reference to a jacket as described in commonly assigned and copending U.S. patent application Ser. No. 09/114,757 filed July 13, 1998, it will be appreciated the present invention is applicable to any cardiac constraint device including those shown in U.S. Pat. No. 5,800,528 and PCT International Publication No. WO 98/29401.

With reference now to Figs. 3, 3A, 4 and 4A, the cardiac constraint device is shown as a jacket 10, 10' of flexible, biologically compatible material. The jacket 10, 10' is an enclosed knit material having upper and lower ends 12, 12', 14, 14'. The jacket 10, 10' defines an internal volume 16, 16' which is completely enclosed but for the open ends 12, 12' and 14'. In the embodiment of Fig. 3, lower end 14 is closed. In the embodiment of Fig. 4, lower end 14' is open. In both embodiments, upper ends 12, 12' are open. Throughout this description, the embodiment of Fig. 3 will be discussed. Elements in common between the embodiments of Figs. 3 and 4 are numbered identically with the addition of an apostrophe to distinguish the second embodiment and such elements need not be separately discussed.

The jacket 10 is dimensioned with respect to a heart H to be treated. Specifically, the jacket 10 is sized for the heart H to be constrained within the volume 16. The jacket 10 can be slipped around the heart H. The jacket 10 has a length L between the upper and lower ends 12, 14 sufficient for the jacket 10 to constrain the lower portion LP. The upper end 12 of the jacket 10 extends at least to A-V groove AVG and further extends to the lower portion LP to constrain at least the lower ventricular extremities LE.

When the parietal pericardium is opened, the lower portion LP is free of obstructions for applying the jacket 10 over the apex A. If, however, the parietal pericardium is intact, the diaphragmatic attachment to the parietal pericardium inhibits application of the jacket over the apex A of the heart. In this situation, the jacket can be opened along a line extending from the upper end 12' to the lower end 14' of jacket 10'. The jacket can then be applied around the pericardial surface of the heart and the opposing edges of the opened line secured together after placed on the heart. Systems for securing the opposing edges are disclosed in, for example, U.S. Patent No. 5,702,343, the entire disclosure of which is incorporated herein by

reference. The lower end 14' can then be secured to the diaphragm or associated tissues using, for example, sutures, staples, etc.

In the embodiment of Figs. 3 and 3A, the lower end 14 is closed and the length L is sized for the apex A of the heart H to be received within the lower end 14 when the upper end 12 is placed at the A-V groove AVG. In the embodiment of Figs. 4 and 4A, the lower end 14' is open and the length L' is sized for the apex A of the heart H to protrude beyond the lower end 14' when the upper end 12' is placed at the A-V groove AVG. The length L' is sized so that the lower end 14' extends beyond the lower ventricular extremities LE such that in both of jackets 10, 10', the myocardium MYO surrounding the ventricles RV, LV is in direct opposition to material of the jacket 10, 10' during diastole. Such placement is desirable for the jacket 10, 10' to present a constraint against dilation of the ventricular portion of the heart H.

After the jacket 10 is positioned on the heart H as described above, the jacket 10 is secured to the heart. Preferably, the jacket 10 is secured to the heart H using sutures (or other fastening means such as staples). The jacket 10 is sutured to the heart H at suture locations S circumferentially spaced along the upper end 12. While a surgeon may elect to add additional suture locations to prevent shifting of the jacket 10 after placement, the number of such locations S is preferably limited so that the jacket 10 does not restrict contraction of the heart H during systole.

While the jacket 10 is expandable due to its knit pattern, the fibers 20 of the knit fabric 18 are preferably non-expandable. While all materials expand to at least a small amount, the individual fibers 20 do not substantially stretch in response to force. In response to the low pressures in the heart H during diastole, the fibers 20 are generally inelastic. In a preferred embodiment, the fibers are 70 Denier polyester. While polyester is presently preferred, other suitable materials include polytetrafluoroethylene (PTFE), expanded PTFE (ePTFE) and polypropylene.

The knit material has numerous advantages. Such a material is flexible to permit unrestricted movement of the heart H (other than the desired constraint on circumferential expansion). The material is open defining a plurality of interstitial spaces for fluid permeability as well as minimizing the amount of surface area of

direct contact between the heart H and the material of the jacket 10 (thereby minimizing areas of irritation or abrasion) to minimize fibrosis and scar tissue.

The open areas of the knit construction also allows for electrical connection between the heart and surrounding tissue for passage of electrical current to and from the heart. For example, although the knit material is an electrical insulator, the open knit construction is sufficiently electrically permeable to permit the use of trans-chest defibrillation of the heart. Also, the open, flexible construction permits passage of electrical elements (e.g., pacer leads) through the jacket. Additionally, the open construction permits visibility of the epicardial surface, thereby minimizing limitations to performing other procedures, e.g., coronary bypass, to be performed without removal of the jacket.

The fabric 18 is preferably tear and run resistant. In the event of a material defect or inadvertent tear, such a defect or tear is restricted from propagation by reason of the knit construction.

The jacket 10 constrains further undesirable circumferential enlargement of the heart while not impeding other motion of the heart H. With the benefits of the present teachings, numerous modifications are possible. For example, the jacket 10 need not be directly applied to the epicardium (i.e., outer surface of the myocardium) but could be placed over the parietal pericardium. Further, an anti-fibrosis lining (such as a PTFE coating on the fibers of the knit) could be placed between the heart H and the jacket 10. Alternatively, the fibers 20 can be coated with PTFE.

The jacket 10 can be used in early stages of congestive heart disease. For patients facing heart enlargement due to viral infection, the jacket 10 permits constraint of the heart H for a sufficient time to permit the viral infection to pass. In addition to preventing further heart enlargement, the jacket 10 treats valvular disorders by constraining circumferential enlargement of the valvular annulus and deformation of the ventricular walls.

### C. Tensioning of the Jacket

To permit the jacket 10 to be easily placed on the heart H, the volume and shape of the jacket 10 are larger than the lower portion LP during diastole. So sized, the jacket 10 may be easily slipped around the heart H. Once placed, the jacket's

volume and shape are adjusted for the jacket 10 to snugly conform to the external geometry of the heart H during diastole. Such sizing is easily accomplished due to the knit construction of the jacket 10. For example, excess material of the jacket 10 can be gathered and sutured S" (Fig. 5) to reduce the volume 16 of the jacket 10 and 5 conform the jacket 10 to the shape of the heart H during diastole. Such shape represents a maximum adjusted volume. The jacket 10 constrains enlargement of the heart H beyond the maximum adjusted volume while preventing restricted contraction of the heart H during systole. As an alternative to gathering of Fig. 5, 10 the jacket 10 can be provided with other arrangements for adjusting volume. For example, as disclosed in U.S. Patent No. 5,702,343, the jacket can be provided with a slot. The edges of the slot can be drawn together to reduce the volume of the jacket.

The jacket 10 is adjusted to a snug fit on the heart H during diastole. Care is taken to avoid tightening the jacket 10 too much such that cardiac function is 15 impaired. During diastole, the left ventricle LV fills with blood. If the jacket 10 is too tight, the left ventricle LV cannot adequately expand and left ventricular pressure will rise. During the fitting of the jacket 10, the surgeon can monitor left ventricular pressure. For example, a well-known technique for monitoring so-called pulmonary wedge pressure uses a catheter placed in the pulmonary artery. The wedge pressure 20 provides an indication of filling pressure in the left atrium LA and left ventricle LV. While minor increases in pressure (e.g., 2 - 3 mm Hg) can be tolerated, the jacket 10 is snugly fit on the heart H but not so tight as to cause a significant increase in left ventricular pressure during diastole.

25     **D. Heart Measurement**

From the above, it is apparent that the surgery is facilitated by having an accurate measurement of the heart's size prior to selecting a jacket 10. The present invention is directed to a device for performing such a measurement.

With attention directed to Figs. 6 and 7, such a device 30 is shown. The 30 device 30 includes a handle 32 having a head end 34 and a proximal end 36. As illustrated in Fig. 7, the handle 32 is formed of two joined halves 30a, 30b of injection molded plastic or other biocompatible material. The halves 30a, 30b are

identical so details shown on one are present on the other. When joined together, the halves 30a, 30b define a hollow handle interior 38. Bottom half 30b has a pin 40 projecting into the interior 38. Similarly, upper half 30a has an identical pin (not shown) projecting into the interior 38. The pins of halves 30a, 30b abut when  
5 handle 32 is assembled to capture a tape as will be described.

The head end 34 is arcuate having a concave radius of curvature of about six centimeters to approximate a convex curvature of an adult human heart (taken in a direction circumferentially surrounding the longitudinal axis AA - BB of the heart) near the valvular annulus VA. The head end 34 has slots 42, 44 formed through  
10 opposite sides of the head end 34. The slots 42, 44 communicate with the hollow interior 38.

The proximal end 36 has a window hole 46 formed through the end 36. A support wall 48 is secured within the interior 38 spaced from and parallel to the plane of the window 46. The wall 48 does not extend completely between the side  
15 walls 31a, 31b of handle half 30b such that a gap 50 is defined adjacent wall 31a (the same wall 31a being adjacent to slot 44 at head end 34). A slot 52 is formed through side wall 31b adjacent proximal end 36. A handle marking 54 in the form of a raised ridge is formed on the proximal end 36 at the center of the window 46.

An elongated flexible tape 60 (preferably formed of a sterilizable material  
20 such as plastic or other biocompatible material) is provided with a first end 62 having a hole 64 sized to receive pin 40. As shown, the tape 60 is a flat strip. The tape 60 could be circular or other geometry in cross-section (e.g., any elongate silastic member or other elongate flexible member).

The tape 60 is passed through slot 42 and looped back through slot 44 back  
25 into the interior 38. The tape is passed through slots 50, 52 with a free end 66 of the tape 60 exterior of the handle 32. The tape 60, when passed between slots 50, 52, is positioned between the wall 48 and proximal end 36 such that a portion of the first side 68 of the tape 60 is visible through the window 46. The wall 48 holds the exposed portion parallel to and closely adjacent the plane of the window 46.

30 The tape is shown separately in Figs. 8 and 9. Shown in these figures (and not in Figs. 6 and 7 for ease of illustration), the tape free end 66 terminates at an enlarged portion 69. The enlarged portion facilitates gripping by a surgeon. Further,

the enlarged portion 69 is larger than slot 52 preventing the tape from completely being drawn into the handle interior 38 and, thereby, becoming inaccessible to a user.

Fig. 9 shows the first side 68 of the tape 60. The first side 68 includes 5 numbered tape markings 72 evenly spaced apart by any convenient measurement unit (e.g., centimeters). The markings 72 are positioned and numbered such that a numbered marking aligned with the handle marking 54 represents the combined length of tape 60 extending external of the handle 32 between slots 42, 44 plus the length of the arcuate head end 34.

Fig. 8 shows the second side 70 of tape 60. The second side 70 includes 10 numbered tape markings 74 evenly spaced apart by any convenient measurement unit (e.g., centimeters). The markings 74 include a reference point (i.e., marking 74a corresponding with distance zero "0") adjacent enlarged portion 69.

Figs. 10 and 11 illustrate the device 30 in use to measure a heart H for sizing 15 to receive a cardiac constraint jacket 10 (not shown in Figs. 10 and 11). In Fig. 10, the device 30 is being used to measure the circumference of the heart H near the A-V groove AVG. The device 30 can measure circumference at any location on the heart. The head end arcuate surface 34 is placed against the heart H extending in a direction around the circumference of the heart H. The handle is positioned 20 perpendicular to the heart. The apex A of the heart H has been slipped through the loop of tape 60 defined between handle slots 42, 44. The surgeon pulls on enlarged tape portion 69 until the tape 60 is snug against the heart H near the A-V groove AVG. The surgeon then reads the tape marking at handle marking 54 to obtain a measurement of the heart circumference near the A-V groove AVG.

In Fig. 11, the device 30 is being used to measure the surface length of the heart H from the A-V groove AVG to the apex A. The proximal end 36 is placed 25 against the heart H at the A-V groove AVG. The surgeon pulls the enlarged portion 69 to the apex A and reads the heart length using the tape markings 74 at slot 52.

Through use of the versatile tool 30, the surgeon can quickly and accurately 30 measure both the circumference and length of the heart H. The tool 30 is easy to manufacture at low cost to permit a tool to be disposed of after use. The tool 30 is easily sterilized for use. Use of the tool 30 permits rapid selection of the proper size

cardiac jacket 10 to insure proper initial fit with minimum time needed for customization of the jacket 10.

From the foregoing detailed description, the invention has been described in a preferred embodiment. Modifications and equivalents of the disclosed concepts  
5 are intended to be included within the scope of the appended claims.

## What is claimed is:

1. A surgical tool for measuring a perimeter of a heart at a location spaced from an apex of the heart, the tool comprising:
  - 5 a handle having a head having first and second sides with said head to be placed against said heart at said location and with said sides spaced apart along said perimeter;
    - 10 said head having a first slot formed in said first side and communicating with an interior of said handle;
    - 15 said handle having a proximal end opposite said head, a second slot in said proximal end and communicating with said interior, said handle having a visibly perceptible handle indicia adjacent said second slot;
    - 20 an elongate flexible member having a first end secured to said handle and extending from said second side of said head;
    - 25 said elongate flexible member passed through said first and second slots and terminating at a free end external of said handle;
    - 30 said elongate flexible member having a plurality of markings disposed along a length of said elongate flexible member;
    - 35 said elongate flexible member extending out of said second slot at said proximal end of said handle for said markings to be in alignment with said handle indicia as said flexible member is pulled through said second slot.
  2. A surgical tool according to claim 1 wherein said proximal end includes tape guides for holding said elongate flexible member at said handle indicia.
  3. A surgical tool according to claim 1 wherein said markings are positioned for a tape marking aligned with said handle indicia to represent a distance from said head second end to said head first end plus a distance of elongate flexible member from said second end to said first end.

4. A surgical tool according to claim 1 wherein said elongate flexible member has a second plurality of markings disposed along a second length of said elongate flexible member indicating a distance from an end of said member.

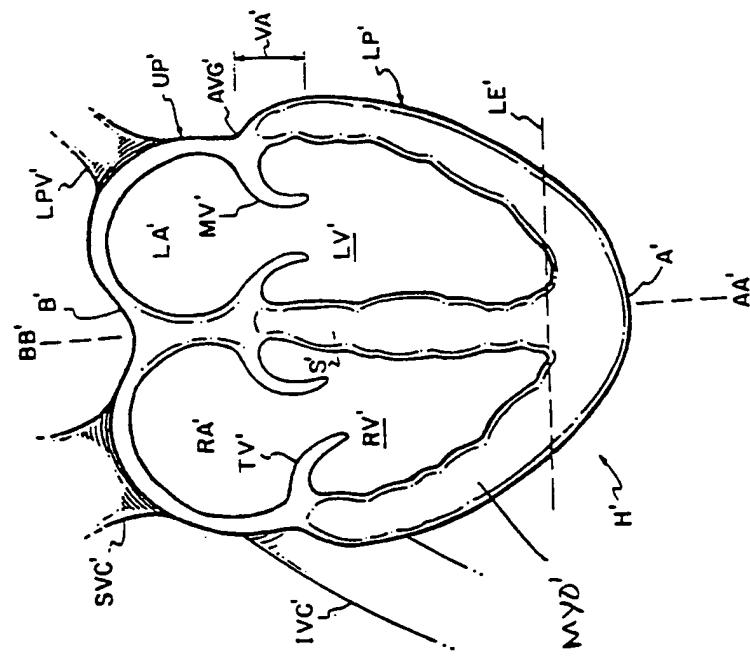


FIG. IA

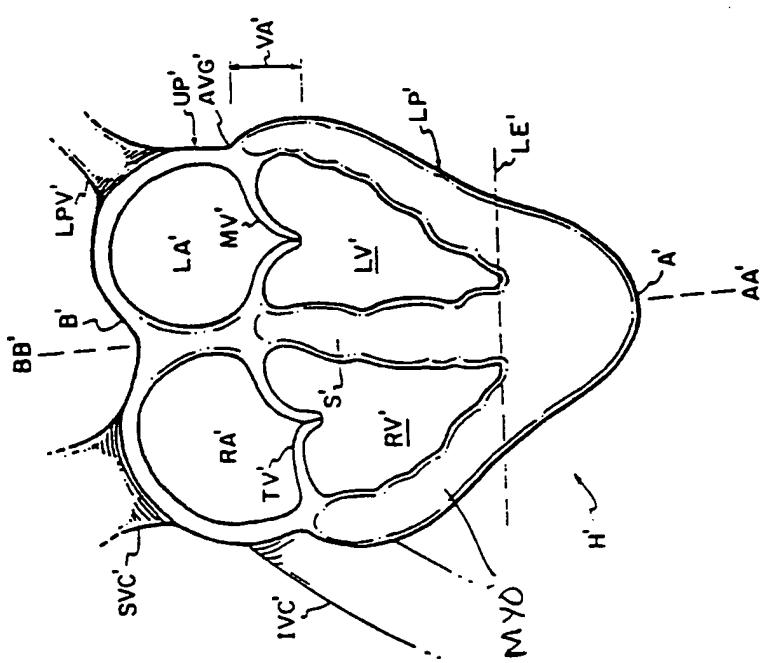


FIG. I

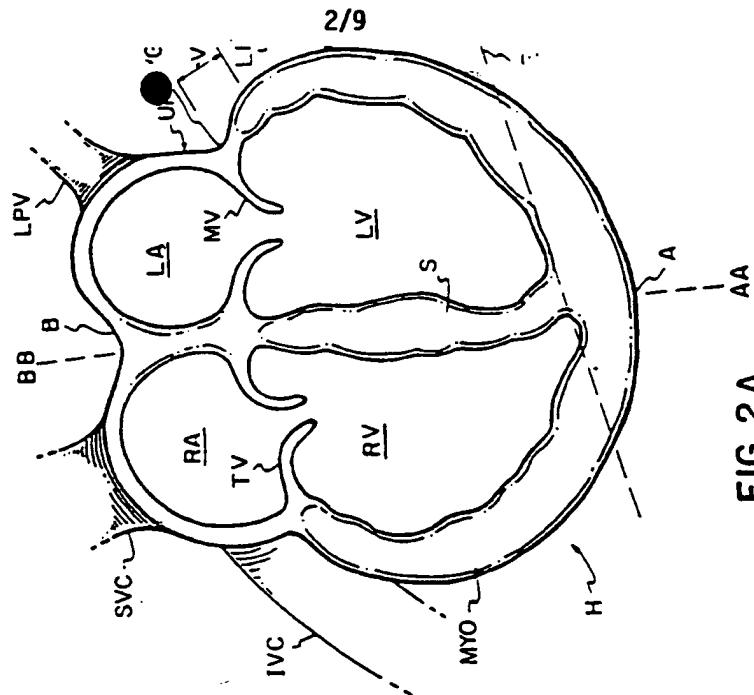


FIG. 2A

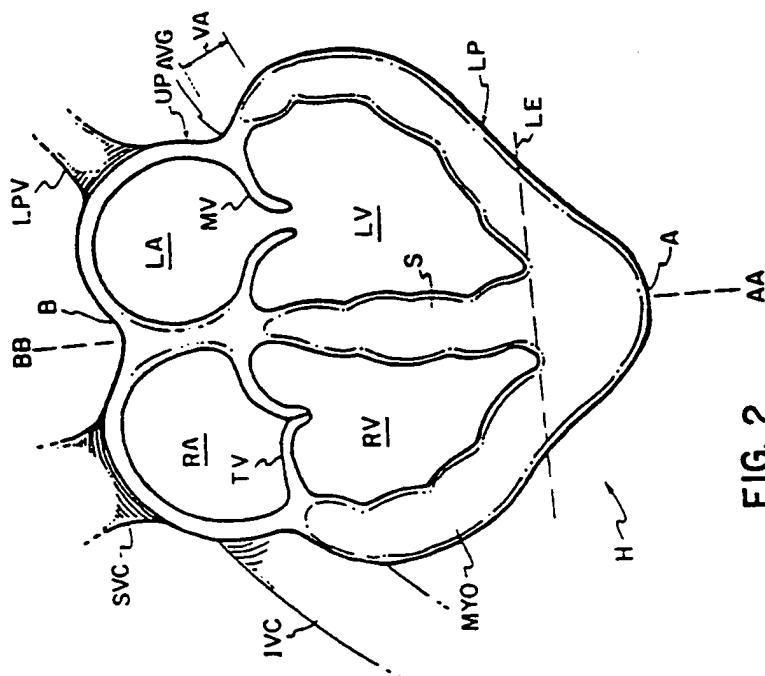


FIG. 2

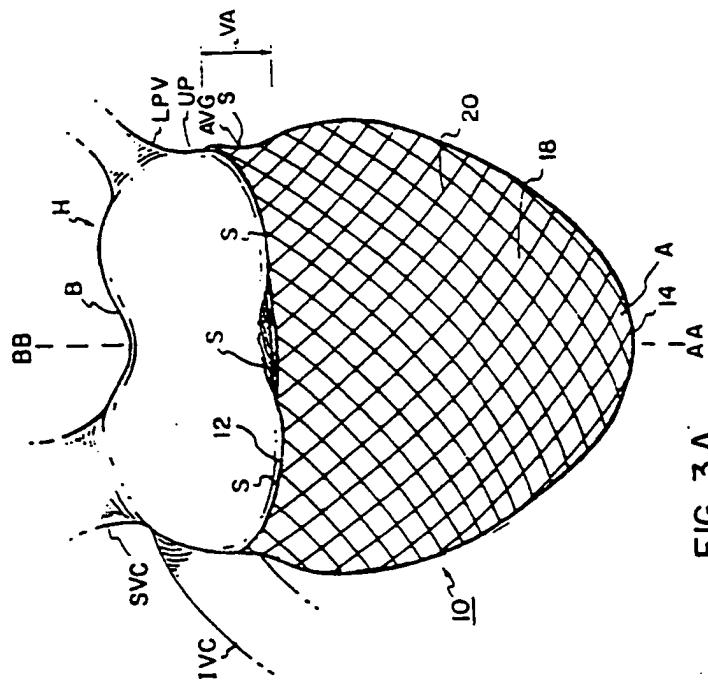


FIG. 3A

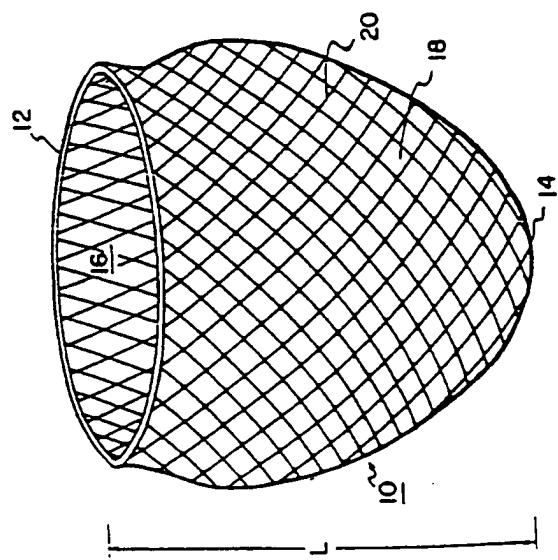


FIG. 3

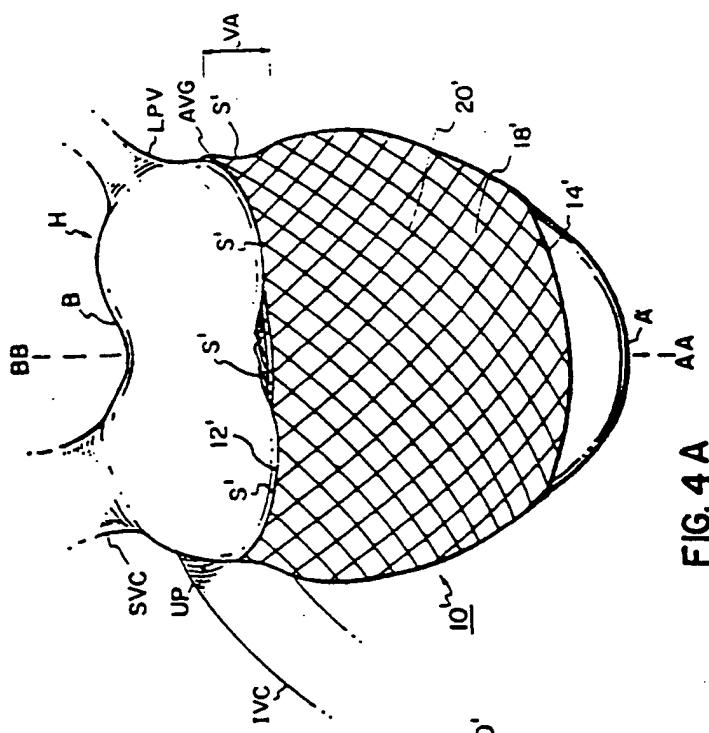


FIG. 4 A

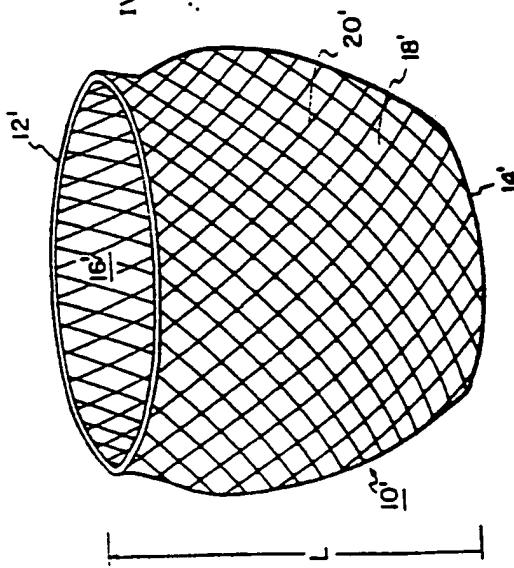


FIG. 4

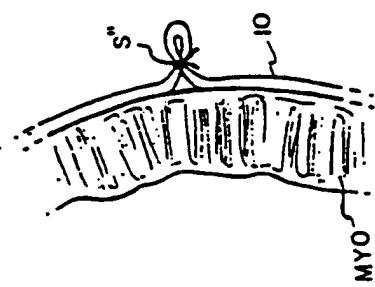
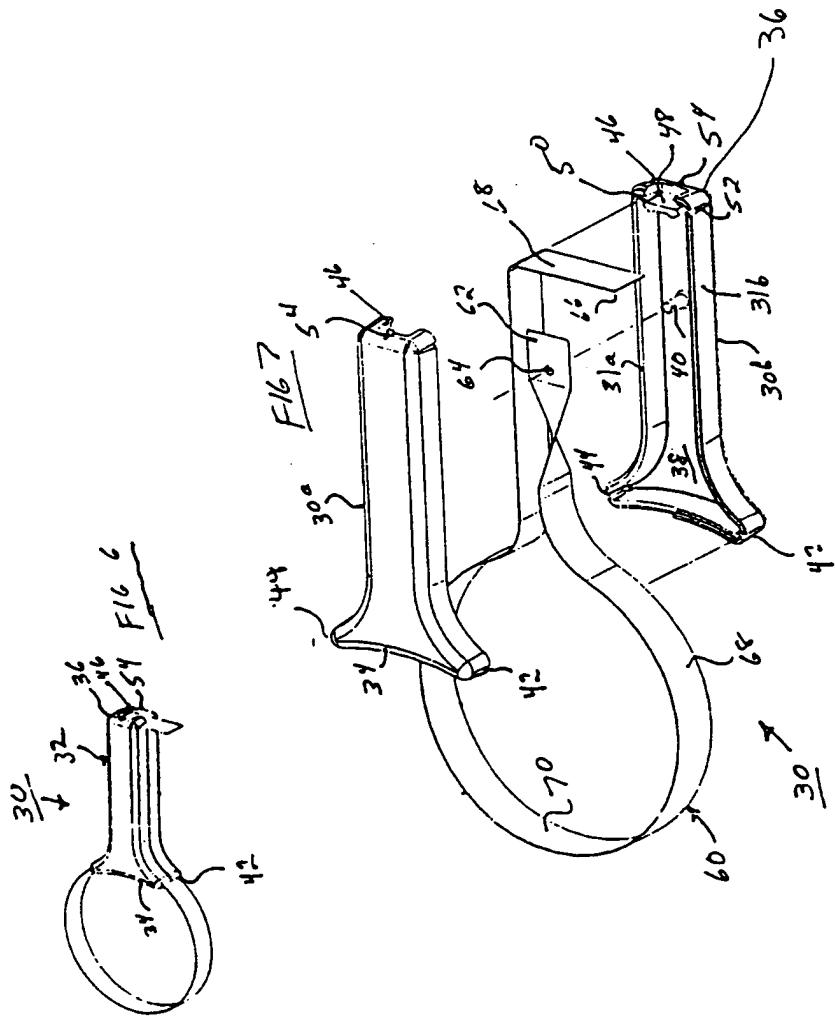


FIG. 5



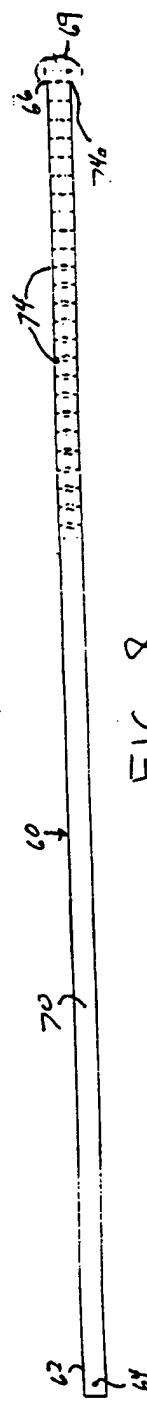


FIG. 8

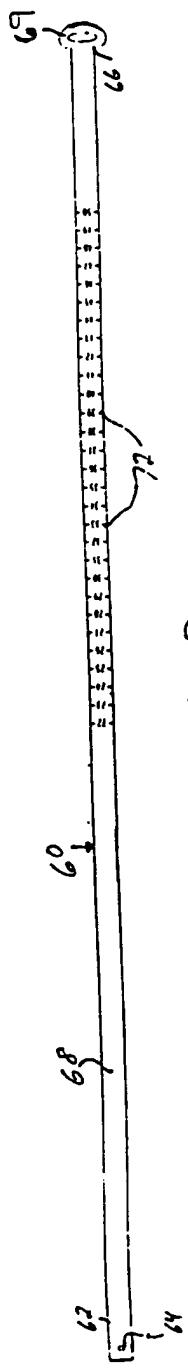


FIG. 9

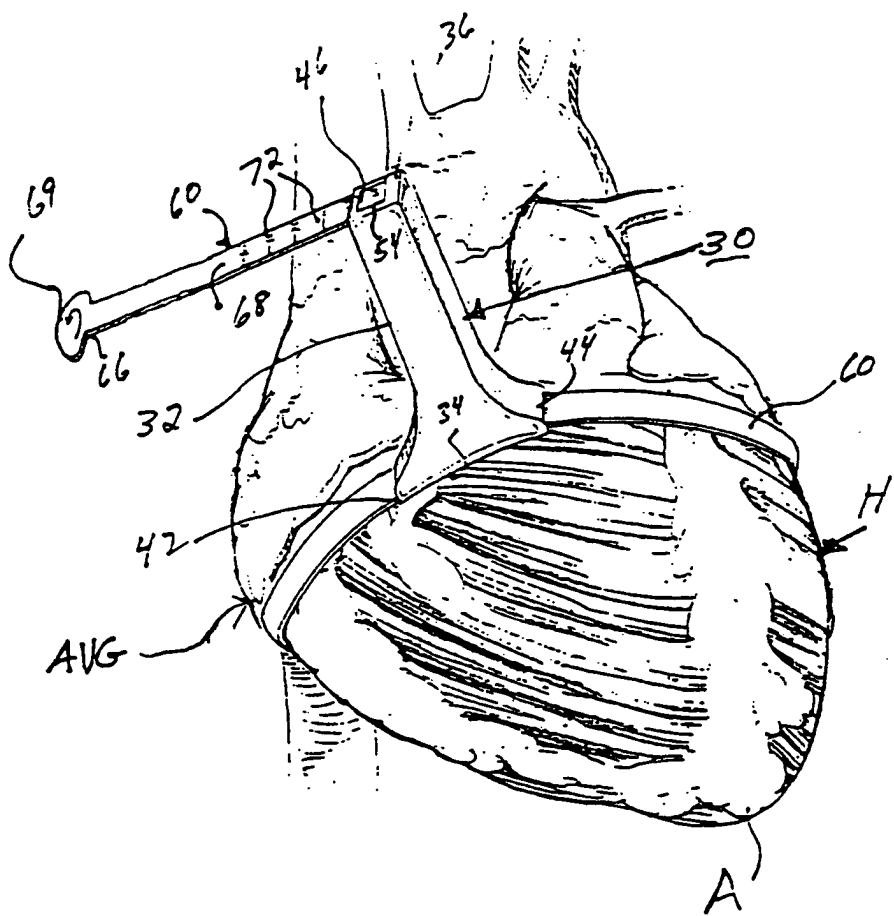


FIG 10

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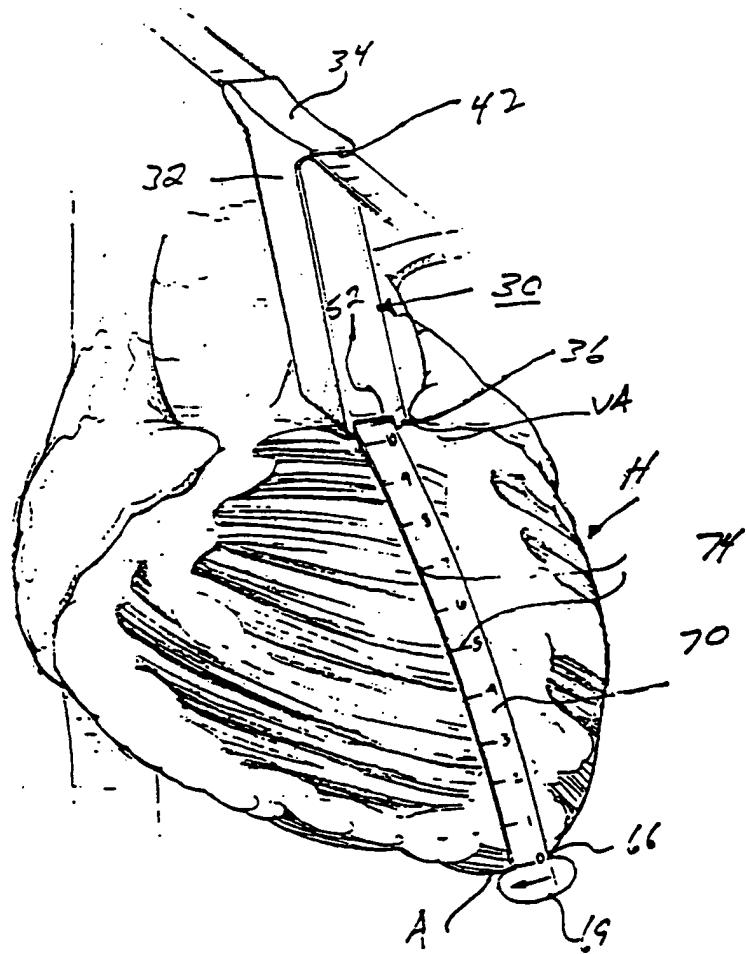


FIG. 11

# INTERNATIONAL SEARCH REPORT

International Application No  
 PCT/US 00/25800

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC 7 A61B5/107

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 914 821 A (HURT) 10 April 1990 (1990-04-10) column 1, line 60 -column 3, line 12 ---	1
A	FR 2 517 821 A (KONDOLFF) 10 June 1983 (1983-06-10) the whole document ---	1
A	US 5 814 098 A (ST JUDE MEDICAL) 29 September 1998 (1998-09-29) column 4, line 1 -column 5, line 30 ---	1

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

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- \*E\* earlier document but published on or after the international filing date
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- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

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\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

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Date of the actual completion of the international search

Date of mailing of the international search report

1 February 2001

09/02/2001

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Authorized officer

Lemercier, D

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/US 00/25800

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
US 4914821	A 10-04-1990	NONE		
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US 5814098	A 29-09-1998	US 6110200 A	29-08-2000	
		AU 6029696 A	30-12-1996	
		WO 9640006 A	19-12-1996	